AMENDMENTS TO THE CLAIMS

This listing of claims will replace all prior versions, and listings of claims in the application:

Claim 1 (Currently Amended): A toner for developing an electrostatic image, comprising:

a polyester resin containing nitrogen; and

a colorant,

wherein a concentration of nitrogen at a surface of the toner is more than a concentration of nitrogen in the entire toner, and the surface of the toner is harder than a center portion of the toner.

Claim 2 (Original): A toner for developing an electrostatic image according to Claim 1, a hardness of the polyester resin at the surface being higher than a hardness of the polyester resin at the center portion.

Claim 3 (Currently Amended): A toner for developing an electrostatic image, ~~comprising~~ according to Claim 1:

~~a polyester resin; and~~

~~a colorant~~, wherein ~~a~~ the surface of the toner is higher in heat resistance than ~~a~~ the center portion of the toner.

Claim 4 (Original): A toner for developing an electrostatic image according to Claim 3, a heat resistance of the polyester resin at the surface being higher than a heat resistance of the polyester resin at the center.

Claim 5 (Currently Amended): A toner for developing an electrostatic image, ~~comprising~~:

~~a polyester resin; and~~

~~a colorant,~~ wherein ~~a~~ the surface of the toner is higher in cross-linking density than ~~a~~ the center portion of the toner.

Claim 6 (Original): A toner for developing an electrostatic image according to Claim 5, a cross-linking density of the polyester resin at the surface being higher than a cross-linking density of the polyester resin at the center.

Claims 7-8 (Canceled).

Claim 9 (Currently Amended): A toner for developing an electrostatic image according to Claim [[8]] 1, a ratio (S/V) of the surface concentration of nitrogen S to the overall concentration of nitrogen V being from 1.2 to 10.

Claim 10 (Currently Amended): A toner for developing an electrostatic image according to Claim [[7]] 1, the nitrogen-containing polyester resin being a polyester resin modified with urea bonds.

Claim 11 (Currently Amended): A toner for developing an electrostatic image according to Claim 1, the toner comprising particles formed by ~~at least one of~~ elongation [[and]] and/or cross-linking[[,]] of a toner composition, the toner composition including a prepolymer being dissolved in oil droplets dispersed in an aqueous medium.

Claim 12 (Original): A toner for developing an electrostatic image according to Claim 11, the toner particles being substantially spherical and an average sphericity E of the toner particles being from 0.90 to 0.99.

Claim 13 (Original): A toner for developing an electrostatic image according to Claim 1, a sphericity SF-1 of the toner being from 100 to 140 and a sphericity SF-2 of the toner being from 100 to 130.

Claim 14 (Original): A toner for developing an electrostatic image according to Claim 1, a volume mean diameter Dv of the toner particles being from 2μm to 7μm and a ratio (Dv/Dn) of the volume mean diameter Dv to a number mean diameter Dn being 1.25 or less.

Claim 15 (Currently Amended): A two component developer comprising:

a toner; and

carrier particles containing magnetic particles, the toner comprising:

a polyester resin containing nitrogen; and

a colorant,

wherein a concentration of nitrogen at the surface is more than a concentration of nitrogen in the entire toner, and a portion at a surface of the toner ~~being~~ is harder than a center portion of the toner.

Claim 16 (Currently Amended): An image forming apparatus comprising:

an electrostatic image carrier which supports an electrostatic image;

an image-developer for developing the electrostatic latent image into a toner image, which houses a developer therein; and

a transfer which transfers the toner image to a support material, [[;]] ~~and~~

wherein the [[a]] developer ~~containing~~ contains:

a toner; and

carrier particles containing magnetic particles, the toner comprising:

a polyester resin; and

a colorant,

wherein a concentration of nitrogen at the surface is more than a concentration of nitrogen in the entire toner, and a portion at a surface of the toner ~~being~~ is harder than a center portion of the toner.

Claim 17 (Currently Amended): A process for forming an image comprising:

developing an electrostatic image by a developer containing:

a toner; and

carrier particles containing magnetic particles, the toner comprising:

a polyester resin; and

a colorant,

wherein a concentration of nitrogen at the surface is more than a concentration of nitrogen in the entire toner, and a portion at a surface of the toner ~~being~~ is harder than a center portion of the toner.

Claim 18 (Currently Amended): A toner container comprising:

a toner containing:

a polyester resin; and

a colorant,

wherein a concentration of nitrogen at the surface is more than a concentration of nitrogen in the entire toner, and a portion at a surface of the toner ~~being~~ is harder than a center portion of the toner.

Claim 19 (Currently Amended): A process cartridge comprising:

an image-developer for developing the electrostatic latent image into a toner image, which houses a toner therein; and

an electrostatic image substrate,

wherein the toner ~~containing~~ contains:

a polyester resin; and

a colorant, wherein a concentration of nitrogen at the surface is more than a concentration of nitrogen in the entire toner, and a portion at a surface of the toner ~~being~~ is harder than a center portion of the toner.

Claim 20 (New): A toner for developing an electrostatic image, comprising:

a polyester resin containing nitrogen; and

a colorant,

wherein a concentration of nitrogen at a surface of the toner is more than a concentration of nitrogen in the entire toner, and the surface of the toner is higher in heat resistance than a center portion of the toner.

Claim 21 (New): A toner for developing an electrostatic image, comprising:

a polyester resin containing nitrogen; and

a colorant,

wherein a concentration of nitrogen at a surface of the toner is more than a concentration of nitrogen in the entire toner, and the surface of the toner is higher in cross-linking density than a center portion of the toner.

AMENDMENT TO THE DRAWINGS

The attached sheet of drawings includes changes to Fig. 6. This sheet, which includes Fig. 6, replaces the original sheet including Fig. 6.

Attachment: Replacement Sheet